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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

ELFRIDA KAMARA,

Plaintiff and Appellant,

v.

STELLA HARDING,

Defendant and Respondent.

B176888

(Super. Ct. No. BS 090711

APPEAL from an order of the Superior Court of Los Angeles County.

Maren E. Nelson, Commissioner. Affirmed.

Elfrida Kamara, in pro. per., for Plaintiff and Appellant.

No appearance for Defendant and Respondent.

Representing herself, Elfrida Kamara appeals from what she terms a “default judgment” entered against her on July 9, 2004. Respondent Harding chose not to file an appellate brief. We affirm.

BACKGROUND

The sparse clerk’s transcript on appeal contains no judgment, but does contain an “Order After Hearing on Petition for Injunction Prohibiting Civil Harassment (CLETS),” bearing the file date July 9, 2004. (Some caps. omitted.) The order directs Kamara to stay at least 100 yards from Stella Harding’s person, residence, and workplace. The order also directs Kamara to surrender any firearm in her immediate control within 48 hours after service of the order.¹ We treat this order as the order from which Kamara appeals.

Both women represented themselves in the trial court. According to the superior court case summary sheets, Harding filed a complaint and an order to show cause on June 23, 2004. Neither document is included in the clerk’s transcript on appeal. Kamara did not order a reporter’s transcript on appeal. The July 9, 2004, minute order states a hearing was held on a petition for injunction prohibiting harassment. Harding was called and testified. The minute order noted that Kamara failed to appear. The court ruled: “The Court has read and considered all documents, including the Proof of Service, submitted in connection with this case. [¶] The Court finds good cause for a restraining order to issue this date. Petition is granted pursuant to the Order After Hearing signed and filed by the Court this date. [¶] Restraining order expires on July 9, 2005.”

Kamara’s brief is difficult to understand. It appears that at some point, Kamara sought a restraining order against Harding, who was dating Kamara’s cousin, allegedly against Kamara’s wishes, and involved Harding’s purportedly calling and threatening Kamara. Kamara does not tell us the fate of her request.

¹ The 48-hour requirement is specified for a restrained person who was not present at the hearing.

According to Kamara’s appellate brief, as we understand it, on July 12, 2004, three days after the ruling from which she appeals, Kamara filed an “order of protection,” under a new superior court case number, against Harding for calling Kamara’s house and threatening her. The court apparently heard from both women and ruled there was “no evidence to restrain [Kamara]” and declined to admit into evidence Harding’s “alleged tape-record[ing].” The court told Kamara she had shown a lack of respect for the court because, having been duly served, Kamara failed to appear on the scheduled date. The court dismissed Kamara’s case without prejudice to refile. Kamara does not appeal from this ruling.

On appeal, Kamara says “[t]he allegation” against her is false. This reference appears to be to the court’s ruling on July 9, because “[o]n the day in question,” Kamara awakened late “and forgot the date.” Kamara says she is “a peaceful citizen” and “did not disrespect the court[.]”

DISCUSSION

As an appellate court we have no independent knowledge of matters brought to us for review. An appellant must, therefore, cause a record of the lower court’s proceedings to be prepared, so that she can demonstrate the asserted error and facilitate our review.

Appellate courts do not presume the trial court committed error. Instead, judgments and orders are presumed correct, and an appellant has the burden of overcoming this presumption by affirmatively showing error on an adequate record. (*Ketchum v. Moses* (2001) 24 Cal.4th 1122, 1140-1141.) “‘A necessary corollary to this rule is that if the record is inadequate for meaningful review, the appellant defaults and the decision of the trial court should be affirmed.’ (Citation.)” (*Gee v. American Realty & Construction, Inc.* (2002) 99 Cal.App.4th 1412, 1416.) This standard “is not only a general principle of appellate practice but an ingredient of the constitutional doctrine of reversible error.” (*Denham v. Superior Court* (1970) 2 Cal.3d 557, 564.)

Kamara does not suggest what standard of review should apply to her appeal. An appellant cannot claim insufficiency of the evidence when there is no transcript of the oral proceedings. (*Aguilar v. Avis Rent A Car System, Inc.* (1999) 21 Cal.4th 121, 132.) Nor may an appellant obtain reversal of a trial court order for abuse of discretion when there is no appellate record discussing the trial court's reasoning. (*Vo v. Las Virgenes Municipal Water Dist.* (2000) 79 Cal.App.4th 440, 447-448.)

In sum, Kamara has failed to provide an adequate record on appeal.

DISPOSITION

The judgment (July 9, 2004, restraining order) is affirmed.

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SUZUKAWA, J.*

We concur:

SPENCER, P. J.

VOGEL, J.

* (Judge of the L. A. Sup. Ct. assigned by the Chief Justice pursuant to art. VI, § 6 of the Cal. Const.)